

THE HON. RONALD LEIGHTON
THE HON. J. RICHARD CREATURA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RYAN DEE WHITAKER,

Petitioner,

v.

JAMES KEY,

Respondent.

CASE NO. 15-cv-5878 RBL-JRC

STIPULATION AND ORDER
EXTENDING DATE TO FILE
TRAVERSE AND RE-SETTING
NOTING DATE

IT IS HEREBY AGREED AND STIPULATED by the Petitioner, through his attorney, Neil M. Fox, and the Respondent, through his attorneys, Washington State Attorney General Robert Ferguson and Assistant Attorney General, Mandy L. Rose, that (a) although Petitioner's current counsel has substantially finished the traverse/reply, he needs additional time to complete it, and, in particular, (b) needs additional time to address the issue of the two declarations filed by prior counsel, Mr. Hazen (now deceased), that were the subject of Mr.

Hazen's motion to expand the record, Dkt. No. 2-1 at pp. 1-8 and Dkt. No. 5, the parties hereby stipulate that the following dates should be set:

1. The due date for filing Petitioner's traverse/reply is extended from August 12, 2016, until September 9, 2016.
2. Respondent may file and serve a reply not later than September 16, 2016.
3. The Clerk shall note this matter for the Court's consideration on September 16, 2016.

DATED this 4th day of August 2016.

Respectfully submitted,

/s/ Neil M. Fox
NEIL M. FOX, WSBA NO. 15277
Attorney for Petitioner

ROBERT W. FERGUSON
Attorney General of Washington

s/ Mandy L. Rose
MANDY L. ROSE, WSBA #38506
Assistant Attorney General
Attorneys for Respondent

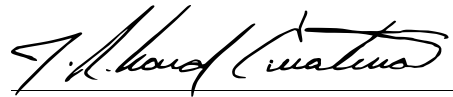
ORDER

Based upon the stipulation of the parties and for good cause shown,

IT IS SO ORDERED.

1. The due date for filing Petitioner's Traverse/Reply Recommendation is extended from August 12, 2016, until September 9, 2016.
2. Respondent may file and serve a reply not later than September 16, 2016.
3. The Clerk shall note this matter for the Court's consideration on September 16, 2016.

Dated this 10th day of August, 2016.

A handwritten signature in black ink, appearing to read "J. Richard Creatura", written over a horizontal line.

J. Richard Creatura
United States Magistrate Judge